WP(C) 5020/2007

BEFORE

HON’BLE JUSTICE RANJAN GOGOI

.

Heard Mr. A. Mannaf, learned counsel for the petitioner and Mr. G. Soren, learned Govt. Advocate, Assam.

The petitioner, Smti Jonali Das, was appointed as an Anganwadi Worker in 327 No. Leza L. P. School for a period of three months. This was by order dated 17.7.2007 passed by the C.D.P.O., Kamalpur-Rangia ICDS Project. According to the petitioner, pursuant to the said appointment she joined and had been rendering service. However, on 17.9.2007 an advertisement was issued for filling up vacant post of Anganwadi Workers, inter alia, in the Leza L. P. School. According to the petitioner, with effect from the date of publication of the aforesaid advertisement she has not been allowed to work though according to her the selection process pursuant to the advertisement issued has not yet been finalized.

On these facts the learned Govt. Advocate was required to obtain necessary instructions and inform the Court the reasons for the action challenged in the writ petition. No such instructions are forthcoming. On the contrary, Sri Soren, learned Govt. Advocate, Assam has prayed for further time.

The petitioner’s appointment by order dated 17.7.2007 is for three months and the same will come to an end on 17.10.2007. The right of the petitioner to render service in terms of the appointment granted to her, therefore, is limited upto 17.10.2007. In such circumstances, grant of further time to the learned State Counsel to obtain instructions would have the effect of rendering the writ petition infructuous.

In the above circumstances and in the absence of any contrary stand taken by the State the Court is of the view that the writ petition needs to be closed by directing that the petitioner be allowed to work in terms of her appointment order dated 17.7.2007 upto a period of three months form the date of said order and she be paid all her dues in terms of the appointment.

This will dispose of the writ petition.